



paragr 84 and P.Cost definition
Mia Bearley to: Kevin Murray

09/08/2009 10:24 AM

Here's what I originally tried to send - and a past cost definition . . .

I'll send my attempt at new language here in a bit. Thanks, Kevin.



P.Cost.definit.¶g84.doc

m. "Past Response Costs" shall mean the \$386,446.11 that the United States paid at or in connection with the Site through December 31, 2008, plus Interest on all such costs which has accrued pursuant to 42 U.S.C. § 9607(a) through such date.

.....

This is what I originally tried to send (where my redline didn't show):

84. EPA has incurred \$386,446.11 in Past Costs for the Site as of the effective date of this Settlement Order. Respondent has raised a number of issues relating to the resolution of Past Costs. The Parties intend to attempt to resolve Past Costs and embody any agreement relating to Past Costs in a future administrative order or consent decree for the Site. Nothing in this paragraph should be construed as a waiver of any rights of the Parties.

I'm still working on alternate language Thanks.